

# EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

E.G., a minor, BY CHRISTINA )  
RAQUEL, individually as parent )  
and next friend of E.G., )  
Plaintiff, )  
vs. ) Case No. 15-cv-702-NJR  
ABBOTT LABORATORIES, INC., )  
June 7, 2017  
Defendant. )

JURY TRIAL DAY/VOLUME XI  
BEFORE THE HONORABLE NANCY J. ROSENSTENGEL  
UNITED STATES DISTRICT COURT JUDGE

APPEARANCES

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transcript produced by computer-aided transcription.

1 Abbott, do your job. Describe the human data.  
2 That's your job. Do it and do it every time. That's what  
3 should have been done in this case. There's no question  
4 about that.

5 The commissioner talked about the importance of  
6 including the human data. I've got several slides on that.  
7 But even to take it further, this is Dr. Heimberger from  
8 Abbott:

9 "Was there a duty to describe the human data?"

10 "Human data did need to be included if you are  
11 describing birth defects. There's no question  
12 about it, it needed to be in there."

13 You know, we talked about the situation. They  
14 talked about claiming it was essential, it was a good drug  
15 for this lady, and she should have been on it. Do you  
16 understand that argument? [REDACTED] had a little sister who  
17 was born healthy and happy because the mom was not on  
18 Depakote. This company would have had this woman taking  
19 Depakote when she was developing the first 28 days of the  
20 little sister. Pretty shocking.

21 **THE COURT:** Mr. Williams, you have five minutes.

22 **MR. WILLIAMS:** Thank you, Your Honor.

23 I go back. Was Depakote essential? From the  
24 mouths of the prescribers, it's hard for me to say it was  
25 essential. Was Depakote the only mood stabilizer available?

1 No. Did this patient need to be on Depakote when you saw  
2 her? No.

3 Going back to Abbott for a moment. The  
4 responsibility -- Dr. Embrescia. Dr. Embrescia, he was the  
5 man that always had the glasses on top of his head during  
6 the deposition. He worked for Dr. Heimberger. And I asked  
7 him this question:

8 "Doctors and patients rely upon Abbott to  
9 provide them the honest and complete safety  
10 information about Depakote. Do you agree with  
11 that?"

12 "Doctors and patients rely upon the company to  
13 provide safety information. The complete part,  
14 as I said, is about the evolving safety profile,  
15 and we should provide everything we know at the  
16 time we know it."

17 I think that's the way it should be. The  
18 undisputed facts. I'll go back to, it's one of the three  
19 most dangerous drugs in here. The rate was not communicated  
20 to the prescribers. The decision to withhold that was made  
21 by Abbott. And if the prescriber had been told, [REDACTED]  
22 would be as healthy as his little sister.

23 You know what Abbott did in this case? You know  
24 what the first rule of medicine is? You do. First, do no  
25 harm. Abbott violated the very first rule of medicine, the

**REPORTER'S CERTIFICATE**

I, Laura A. Esposito, RPR, CRR, CCR(MO), Official Court Reporter for the U.S. District Court, Southern District of Illinois, do hereby certify that I reported in shorthand the proceedings contained in the foregoing 124 pages, and that the same is a full, true, correct, and complete transcript from the record of proceedings in the above-entitled matter.

Dated this 8th day of June, 2017.

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LAURA A. ESPOSITO, RPR, CRR, CCR